

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

CARLOS JAVIER DIAZ CEBALLOS

Case No. 11-00727-ESL

Chapter 13

Attorney Name: MARILYN VALDES ORTEGA*

I. Appearances		<p>Date: March 04, 2011 Time: 2:50PM Track: _____ <input checked="" type="checkbox"/> This is debtor(s) <input checked="" type="checkbox"/> Bankruptcy filing. Liquidation Value: <u>TBD</u></p> <p>Creditors <u>Ms. Lorraine Melendez - RMPM (mortgage).</u></p>	
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
III. Documents Filed/Provided			
<p><input type="checkbox"/> Schedules <input type="checkbox"/> DSO Recipient's information</p> <p><input checked="" type="checkbox"/> Statement of Financial Affairs (SOFA) <input checked="" type="checkbox"/> State Tax Returns <u>07-09</u> <input checked="" type="checkbox"/> Returned</p> <p><input checked="" type="checkbox"/> Statement of Current Monthly Income (SCMI) <input type="checkbox"/> Federal Tax Returns _____ <input type="checkbox"/> Returned</p> <p><input checked="" type="checkbox"/> Credit counseling briefing certificate (CCC) <input type="checkbox"/> Evidence of income (60 days prior to petition)</p> <p><input type="checkbox"/> Waiver requested by debtor(s)</p> <p><input type="checkbox"/> DSO Certificate</p>			
IV. Status of Meeting <input type="checkbox"/> Closed <input type="checkbox"/> Not Held		<input checked="" type="checkbox"/> Continued for 30 days at _____ <i>as requested by debtor</i> <i>pursuant to Sect. 1308.</i> <i>After 4/4/11, meeting will be</i> <i>deemed closed.</i>	
V. Trustee's Report on Confirmation			
<p><input type="checkbox"/> FAVORABLE</p> <p><input checked="" type="checkbox"/> UNFAVORABLE</p> <p><input type="checkbox"/> Feasibility</p> <p><input checked="" type="checkbox"/> Insufficiently funded <i>see # 4</i></p> <p><input type="checkbox"/> Unfair discrimination</p> <p><input checked="" type="checkbox"/> Fails liquidation value test <i>see # 4.</i></p> <p><input type="checkbox"/> Fails disposable income test (I & J)</p> <p><input type="checkbox"/> No provision for secured creditor(s)</p> <p><input type="checkbox"/> Treat value of collateral separately</p> <p><input type="checkbox"/> No provision for insurance</p> <p><input checked="" type="checkbox"/> Tax returns missing</p> <p><input checked="" type="checkbox"/> State - years <u>2010</u></p> <p><input type="checkbox"/> Federal - years _____</p> <p><input type="checkbox"/> No DSO certificate (Post-petition)</p> <p><input type="checkbox"/> Evidence of income</p> <p><input type="checkbox"/> Missing <input type="checkbox"/> Incomplete</p> <p><input type="checkbox"/> Stmt. of Current Monthly Income</p> <p><input type="checkbox"/> Incomplete <input type="checkbox"/> Missing</p> <p><input type="checkbox"/> Fails commitment period <input type="checkbox"/> Fails Disp. Income</p> <p><input type="checkbox"/> Certificate of Credit briefing</p> <p><input type="checkbox"/> Missing <input type="checkbox"/> More than 180 days</p> <p><input type="checkbox"/> Issuer not certified by U.S.T.</p> <p><input type="checkbox"/> Incomplete schedules</p> <p><input type="checkbox"/> Incomplete S.O.F.A.</p> <p><input type="checkbox"/> Other: _____</p>			

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VI. Plan

(Cont.)

Date: February, 17, 2011 Base \$ 23,400.00 Filed Evidence of Pmt shown: _____
 Payments 1 made out of 1 due. Not Filed

VII. Confirmation Hearing Date: March, 30, 2011

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 201.00 = \$ 2,799.00

IX. Documents to be provided w/in 10 days

Amended schedules _____

Amended S.O.F.A. _____

Insurance estimate _____

Amended plan _____

Assumption/Rejection executory contract _____

Business Documents _____
 Monthly reports for the months _____

Appraisal _____

State tax returns years _____

Public Liability Insurance _____

Federal tax returns years _____

Premises _____

Correct SS # (Form B21) _____

Vehicle(s) _____

Debtor Joint debtor _____

Licenses issued by: _____

Other: _____

*Amend plan: devote half of Xmas
 Bonus during life of plan*

M.T.D. to be filed by Trustee: Debtor(s): failed to appear; failed to commence payments;

failed to keep payments current; does (do) not qualify as a debtor (§109); _____

Other: _____

COMMENTS

- ① Amend I: debtor is married. Also, include spouse's income @ Walmart, full time.
- ② Payroll deduction requested.
- ③ note: debtor is sole owner of real property
- ④ Per creditor's testimony: cweaks = \$ 12,707.00 and secured amount = \$ 69,217.00

R Garcia
 Trustee/Presiding Officer

Date: March 04, 2011

- ⑤ debtor to clarify \$425.04 deduction identified as "Bond USE N". (Rev.
 debtor does not know.)